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DECISIONS PURSUANT TO RULE 1:28

July 12, 2018.

[COMMONWEALTH vs. DAVID S. DURLING. No. 17-P-1089.](#) Judgments affirmed. Order denying motion for new trial affirmed.

[COMMONWEALTH vs. MICHAEL KOZAKIEWICZ. No. 17-P-77.](#) The portion of the order denying the motion for new trial on the conviction of assault and battery by means of a dangerous weapon is reversed; in all remaining respects, the order is affirmed. The judgment on the lesser included offense of assault and battery is affirmed. On the count charging assault and battery by means of a dangerous weapon, the judgment is vacated and the verdict is set aside.

[NATALY MINKINA vs. LAURIE A. FRANKL & others. No. 17-P-1330.](#) The order entered April 24, 2017, denying the plaintiff's motion for relief from judgment after rescript is affirmed.